

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM No.M-22460 of 2018 (O&M)

Date of Decision: July 13, 2018

Baldev Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Amit Kumar Walia, Advocate
for the petitioner.

Mr.Pawan Sharda, Sr.DAG, Punjab
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.07 dated 13.04.2018 under Sections 7, 13(2) of Prevention of Corruption Act and Sections 120-B, 201 and 511 IPC, registered at Police Station Vigilance Bureau, Bathinda.

Notice of motion was issued. Learned State counsel appeared and contested the petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that this case is solely based on voice recording in a mobile phone. Voice samples have not been taken so far nor the voice has been got compared. I have also gone through the recording,

which has been translated in the police file. Nowhere, there is specific voice that ₹12,000/- has been demanded. Learned State counsel contended that money has been demanded by showing the hand but this is an audio recording and not a video recording. A raid was also conducted in this case by the Vigilance Bureau but the present petitioner was not present at that time in the police station nor he received any money.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find it a fit case, where petitioner is entitled to benefit of grant of anticipatory bail. Therefore, the present petition is allowed. It is ordered that in the event of arrest, the petitioner be released on bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, he shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

However, nothing stated above, shall constitute my opinion on merits of the case.

July 13, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No